

**JOINT RULES RESOLUTION FOR FISCAL
NOTES ON CRIMINAL PENALTY BILLS**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: _____

LONG TITLE

General Description:

This resolution amends Joint Rule 4-2-403 regarding fiscal notes.

Highlighted Provisions:

This resolution:

▶ directs the Legislative Fiscal Analyst to ignore criminal penalties when creating a fiscal note for a bill.

Special Clauses:

None

Legislative Rules Affected:

AMENDS:

JR4-2-403

Be it resolved by the Legislature of the state of Utah:

Section 1. **JR4-2-403** is amended to read:

JR4-2-403. Fiscal Notes.

(1) (a) (i) When the Legislative Fiscal Analyst receives the electronic copy of the approved legislation from the Office of Legislative Research and General Counsel, that office shall, within three legislative days:

(A) review and analyze the legislation to determine its fiscal impact; and



28 (B) provide a fiscal note to the sponsor of the legislation.

29 (ii) The three day deadline for the preparation of the fiscal note may be extended if the
30 Legislative Fiscal Analyst requests it, states the reasons for the delay, and informs the sponsor
31 of the legislation of the delay.

32 (b) If the bill contains or changes a criminal penalty, the Legislative Fiscal Analyst may
33 not consider the impact of the criminal penalty in the preparation of the fiscal note.

34 ~~(b)~~ (c) If the Legislative Fiscal Analyst determines that the legislation has no fiscal
35 impact, the Legislative Fiscal Analyst may release the fiscal note immediately after the sponsor
36 has received a copy of the fiscal note.

37 ~~(c)~~ (d) The sponsor may:

38 (i) approve the release of the fiscal note;

39 (ii) direct that the fiscal note be held; or

40 (iii) if the sponsor disagrees with the fiscal note, contact the Legislative Fiscal Analyst
41 to discuss that disagreement and provide evidence, data, or other information to support a
42 revised fiscal note.

43 ~~(d)~~ (e) If the sponsor does not contact the Legislative Fiscal Analyst with instructions
44 about the fiscal note within one 24 hour legislative day, the Legislative Fiscal Analyst shall
45 release the fiscal note.

46 ~~(e)~~ (f) The Legislative Fiscal Analyst shall make the final determination on the fiscal
47 note.

48 ~~(f)~~ (g) The fiscal note shall be printed with the legislation.

49 (2) If an amendment or a substitute to legislation appears to substantively change the
50 fiscal impact of the legislation, the Legislative Fiscal Analyst shall prepare an amended fiscal
51 note for the legislation.

52 (3) The fiscal note is not an official part of the legislation.

H.J.R. 17 - Joint Rules Resolution for Fiscal Notes on Criminal Penalty Bills

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
